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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN WILLIAM WALLACE,
Plaintiff,

No. C 10-80192 SI

ORDER ON PRE-FILING REVIEW

v.
UNITED STATES DEPARTMENT OF
DEFENSE,
Defendant.

Plaintiff John William Wallace has submitted for this Court's pre-filing review a complaint filed against the United States Department of Defense. Upon review of the complaint, the Court finds that it fails to state any claim against defendant and DISMISSES this action with prejudice.

DISCUSSION

Plaintiff filed a total of twelve actions against the United States in this district between March and July of 2004, eight of which were filed *in forma pauperis*. All of the actions pertained to plaintiff's effort to obtain "original title" to various parcels of real estate, some of which were outside California. After orders of dismissal were entered in almost every case, the actions were eventually related and assigned to the Honorable Fern Smith, a former judge of this district. The United States made a motion for an order requiring pre-filing review of any future complaint submitted by plaintiff which named the United States as a defendant. After holding a conference with the parties, Judge Smith granted the United States' motion, finding that plaintiff had abused the *in forma pauperis* procedure by filing multiple, duplicative lawsuits without disclosing his filing history, and that all of plaintiff's filings were

1 incoherent, frivolous, and not properly brought in federal court. Judge Smith ordered pre-filing review
2 "of any papers presented by John William Wallace for filing that name the United States as a
3 defendant."

4 Now before the Court for pre-filing review is a complaint lodged on August 2, 2010, which
5 names the United States Department of Defense as defendant. The complaint is headed "Identification
6 Plate Clear." The first four pages of the complaint, which are almost verbatim copies of one another,
7 consist of streams of words separated by commas, semicolons or colons. The stream begins with a list
8 of words for forms of money or compensation ("Investments, Interest, U.S. Currency, Legal, Tender,
9 Awards, Grants, Notes, Bonds, Securities, Pay, Wages, Salary, Stock, T Bills, Tips"). The complaint
10 then lists a number of federal agencies and private companies, including the Department of Defense,
11 Environmental Protection Agency, and Exxon Mobil, followed by a listing of every article and
12 amendment of the United States Constitution and the names of several statutes. Next, the complaint lists
13 the names of people and places ("Brad Lavy, Molly Lavy, Mollie Getty, Julian Lennon"; "Washington;
14 California; Florida; Maine; Washington D.C. District of Columbia; Texas; Oregon") but does not
15 explain who the people are, whether any allegations are being asserted against them, or the significance
16 of the places. Finally, plaintiff repeats the monetary terms from the start of the page. The fifth and final
17 page of the complaint contains a description of a parcel of land apparently located in Franklin County,
18 Washington, plus a repeat of some of the words stated on the first four pages.

19 Plaintiff's papers are plainly insufficient to allege any claim against the United States
20 Department of Defense or any other defendant. Plaintiff has made no attempt to allege a single fact or
21 event, or even to explain what, if anything, he is seeking through this lawsuit. There is no basis on
22 which to find that any response to plaintiff's rambling and incoherent papers is warranted.

23 The complaint is hereby DISMISSED with prejudice. The clerk is directed to close the case,
24 and no further filings will be accepted in this action.

25 **IT IS SO ORDERED.**

26 Dated: August 11, 2010



SUSAN ILLSTON
United States District Judge

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